

F I L E D
Clerk
District Court

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JAN - 6 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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9 Attorneys for Defendant
JLH PACIFIC TRUST

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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE
NORTHERN MARIANA ISLANDS

13 PATTI C. BALLONE, *et al.*,) CIVIL ACTION NO. CV 03-0013
14 Plaintiffs,)
15 v.)
16 BERT MONTGOMERY, *et al.*,)
17 Defendants.)
18 DAVID H. SCHMIDT, *et al.*,)
19 Plaintiffs,)
20 v.)
21 BERT DOUGLAS MONTGOMERY, *et al.*,)
22 Defendants,)
23 v.)
24 UNITED FOREX INVESTORS, *et al.*,)
25 Third-Party)
26 Defendants.)

JLH PACIFIC TRUST'S EX PARTE
REQUEST TO CLERK FOR
ENTRY OF DEFAULT OF THIRD-
PARTY DEFENDANTS
JOSE CABRERA AND
MERCEDES CABRERA

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28 JLH PACIFIC TRUST'S EX PARTE REQUEST TO CLERK FOR ENTRY OF
DEFAULT OF THIRD-PARTY DEFENDANTS JOSE CABRERA AND
MERCEDES CABRERA

JLH PACIFIC TRUST ("JLH"), by and through its attorneys, Brien Sers
Nicholas, Attorney At Law and Glenn K. Sato, Attorney At Law, hereby requests that the Clerk

1 of the above entitled Court to enter the default of Defendants Jose Cabrera and Mercedes
2 Cabrera for failure to plead in response to or otherwise defend against JLH's Third-Party
3 Complaint filed herein on September 2, 2003, as more fully set forth in the attached Affidavit.

4 This request is made pursuant to Rule 55(a) of the Federal Rules of Civil
5 Procedure, the Declaration of Brien Sers Nicholas attached hereto and made a part hereof, and
6 the records and files herein.

7 DATED this 6 day of January, 2006, on Saipan, CNMI.

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11 **BRIEN SERS NICHOLAS (F0163)**
12 **GLENN K. SATO (2176-0)**
13 Attorneys for JLH PACIFIC TRUST
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